

REMARKS

In the office action claims 1-42 are pending. Claims 11-13, 24-26, and 35-27 were indicated to be allowable if rewritten in independent form incorporating the base claim and any intervening claims, and claims 1-10, 14-23, 27-34 and 38-42 stand rejected. Reconsideration of the present application in view of the amendments above and the remarks that follow is respectfully requested.

Claims 27, 29, 30-32 and 38 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,126,660 to Dietz. Dietz discloses pinion locking member 50 having a pinion portion 52 and a locking portion 58. When in the locking position of Fig. 14, locking portion 58 includes locking teeth 60 that engage locking groove 26 at one portion of gear bore 25 formed in body 15, and pinion portion 52 includes pinion teeth 54 that extend into the chamber of body 15 and engage the teeth of engagement surface 39 of rack 30. When locking member 50 is in the unlocked position of Fig. 15, pinion teeth 54 remain in engagement with the engagement surface 39 of rack 30 in order to move rack 30 as locking member 50 is rotated. Accordingly, locking teeth 60 are not engaged with engagement surface 39 of rack 30 in either the locked or unlocked positions, and pinion teeth 54 remain engaged with engagement surface 39 of rack 30 in each of the locked and unlocked positions. The Office Action asserts that Dietz discloses lock member is movable “between a first position when the lock member is engaged with the rack and a second position when the locking member is not engaged to the rack....” However, as demonstrated above, the disclosure in Dietz does not appear to support this assertion.

In contrast, claim 27 recites “a lock member positioned in said chamber of said body, said lock member having a lock pin engaged thereto engageable to move said lock member between a first position wherein said lock member engages said rack and a second position wherein said lock member is not engaged with said rack.” Accordingly, Dietz fails to disclose each of the elements in claim 27, and withdrawal of the rejection of the same in view of Dietz is respectfully requested.

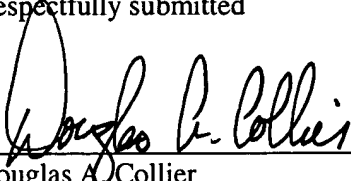
Claims 29, 30-32 and 38 depend directly or indirectly from claim 27, and are allowable at least because claim 27 is allowable and also for the reasons provided above. Accordingly, withdrawal of the rejection of claims 27, 290-32 and 38 under 35 USC 102(b) in view of Dietz is respectfully requested.

Claims 1-10, 14-23, 27-34 and 39-42 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,648,891 to Kim. The Kim reference is a U.S. Patent having a filing date of September 14, 2001. Enclosed herewith is an affidavit under 37 CFR 1.131 establishing the invention in claims 1-10, 14-23, 27-34 and 39-42 was reduced to practice before the September 14, 2001 filing date of Kim. Accordingly, Kim is not prior art under 35 USC 102(e) and withdrawal of this basis of the rejection of claims 1-20, 14-23, 27-34 and 39-42 is respectfully requested.

In view of the above, claims 1-42 are in condition for allowance. A Notice of Allowance for the present application is respectfully requested. The Examiner is welcome to contact the undersigned to resolve any outstanding issues with regard to the present application.

Respectfully submitted

By: _____


Douglas A. Collier
Reg. No. 43,556
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456